

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LORENZO ANTHONY,

No. 07-10351

Plaintiff,

District Judge Marianne O. Battani

v.

Magistrate Judge R. Steven Whalen

C. WALKER, ET.AL.,

Defendants.

ORDER REGARDING SERVICE

On January 23, 2007, Plaintiff, a *pro se* prison inmate, filed a complaint pursuant to 42 U.S.C. §1983. He was granted leave to proceed *in forma pauperis* (IFP) on February 16, 2007, and has filed two motions for service by the United States Marshal [Docket #12 and #17]. On December 19, 2007, the Court entered an order directing Marshal's service, without prepayment of costs, pursuant to Fed.R.Civ.P. 4(c)(2) [Docket #19].

Because more than 120 days have elapsed since the filing of the complaint, and since the Plaintiff bears no responsibility for any delays of service, the Court will, on its own initiative, and pursuant to Fed.R.Civ.P. 4(m), extend the time for service of the summons and complaint 90 days from the date of this Order.¹

¹ Rule 4(m) states:

“...the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant *or*

Further, Plaintiff's motions for Marshal's service [Docket #12 and #17] are GRANTED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: December 20, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on December 20, 2007.

S/G. Wilson
Judicial Assistant

direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.” (Emphasis Added).